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10
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12 United States of America

13
14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16
17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.
20

21 HUU TIEU,
22 Defendant.

23 CASE NO. 1:20-CR-00109-DAD-BAM

24 STIPULATION AND ORDER BETWEEN THE
25 UNITED STATES AND DEFENDANT HUU TIEU

26
27 **STIPULATION**

28 WHEREAS, the discovery in this case is voluminous and contains personal information
including but not limited to medical records, insurance information, and other personal identifying
information (“Protected Information”); and

WHEREAS, the parties desire to avoid both the necessity of large scale redactions and the
unauthorized disclosure or dissemination of Protected Information to anyone not a party to the court
proceedings in this matter;

The parties agree that entry of a stipulated protective order is appropriate.

THEREFORE, defendant, HUU TIEU, by and through his counsel of record (“Defense
Counsel”), and plaintiff, the United States of America, by and through its counsel of record, hereby
agree and stipulate as follows:

1. This Court may enter protective orders pursuant to Rule 16(d) of the Federal Rules of

1 Criminal Procedure, and its general supervisory authority.

2 2. This Order pertains to all discovery provided to or made available to Defense Counsel as
3 part of the discovery in this case (hereafter, collectively known as the “discovery”).

4 3. By signing this Stipulation and Protective Order, Defense Counsel agrees not to share any
5 documents that contain Protected Information with anyone other than Defense Counsel and designated
6 defense investigators and support staff. Defense Counsel may permit the defendant to view un-redacted
7 documents in the presence of Defense Counsel or under the supervision of Defense Counsel. The parties
8 agree that Defense Counsel, defense investigators, and support staff shall not allow the defendant to
9 copy Protected Information contained in the discovery. The parties agree that Defense Counsel, defense
10 investigators, and support staff may provide the defendant with copies of documents from which
11 Protected Information has been redacted.

12 4. The discovery and information therein may be used only in connection with the litigation
13 of this case and for no other purpose. The discovery is now and will forever remain the property of the
14 United States Government. Defense Counsel will return the discovery to the Government or certify that
15 it has been destroyed at the conclusion of the case.

16 5. Defense Counsel will store the discovery in a secure place and will use reasonable care to
17 ensure that it is not disclosed to third persons in violation of this agreement.

18 6. Defense Counsel shall be responsible for advising the defendants, employees, other
19 members of the defense team, and defense witnesses of the contents of this Stipulation and Order.

1 7. In the event that the defendant substitutes counsel, undersigned Defense Counsel agrees
2 to withhold discovery from new counsel unless and until substituted counsel agrees also to be bound by
3 this Order or the Court modifies this Order regarding such transfer of discovery.

4 IT IS SO STIPULATED.

5 Dated: August 10, 2020

McGREGOR W. SCOTT
United States Attorney

7 _____
8 /s/ VINCENTE A. TENNERELLI
9 VINCENTE A. TENNERELLI
10 Assistant United States Attorney

11 Dated: July 30, 2020

EDGAR H. SEVILLA

12 _____
13 /s/ EDGAR H. SEVILLA
14 Attorney for Huu TIEU

15 **ORDER**

16 IT IS SO ORDERED.

17 Dated: August 11, 2020

18 _____
19 /s/ *Barbara A. McAuliffe*

20 UNITED STATES MAGISTRATE JUDGE